

## **REMARKS**

Claims 35-70 are pending in the application. Claims 35-68 are rejected. Claims 35-68 are amended by this paper. Most of these amendments were made to correct informalities in the claims in order to bring them into conformance with U.S. patent practice. New dependent claims 69 and 70 are added by this paper. The applicant requests consideration of the amendments and following remarks and allowance of the claims.

### **Examiner Interview**

The applicant would like to thank Examiner Hur for the telephone interview of July 11, 2008. The interview was attended by Examiner Hur and the undersigned attorney Alex Neudeck. During the interview, aspects of the applicant's claims were discussed. The Examiner's objection to the specification were also discussed. No agreement was reached. The Examiner indicated that further search may be required in light of applicant's arguments and amendments. Should the Examiner have further questions, the Examiner is invited to contact the undersigned attorney by telephone.

### **Claim Rejections**

Claims 35-40, 46-58, and 64-68 stand rejected under 35 U.S.C. § 102(e) as unpatentable over publication US-2003/0084124 A1 (Su). Claims 41 stands rejected under 35 U.S.C. § 103(a) as unpatentable over publication US-2003/0084124 A1 in view of US-2002/0049634 (Longinotti). Claims 42-45 and 62 stand rejected under 35 U.S.C. § 103(a) as unpatentable over publication US-2003/0084124 A1 in view of RSS 2.0 Specification (RSS). Claims 59-61 and 63 stand rejected under 35 U.S.C. § 103(a) as unpatentable over publication US-2003/0084124 A1 in view of U.S. patent number 6,892,193 (Bolle). Applicant respectfully traverses these rejections for at least the following reasons.

Applicant's amended independent claims 35 and 46 call for a wait event that result[s]... in the computer indicating that the computer is in a busy state while the computer completes at least one processing task. In contrast, Su discloses a "screen saver" application that "...acquires control over the display device...if there are no key

strokes or mouse movements...for a specified duration of time.” (See paragraph [0016].) Su further discloses “...after an initial period of *inactivity*, the screen saver application 27 is initiated....” (emphasis added) (See paragraph [0022].) Thus, Su discloses displaying content during periods of *inactivity*. Accordingly, Su does not disclose, teach or suggest at least a wait event where the computer indicat[es] that the computer is in a busy state while the computer completes at least one processing task as called for by applicants independent claims.

Accordingly, for at least the reasons given above, not all of applicant’s limitations are disclosed, taught or suggested by the prior art. “To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.” See *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974) and MPEP 2143.03. Claims 35 and 46 are therefore patentable over Su.

The dependent claims, including new claims 69 and 70, while separately allowable over the art of record, depend from otherwise allowable independent claims. The applicant therefore refrains from a discussion of the dependent claims for the sake of brevity.

### **Specification Objection**

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. In particular, claims 46-59 were directed to a “computer readable medium” and the Examiner asserts that this is not supported by the specification. Applicant respectfully traverses.

Applicant’s specification refers times to a “computer”, “computer software program”, and “computer program.” Applicant respectfully submits that one of ordinary skill in the art would readily recognize that a “computer software program” or a “computer program” are inherently references to a computer readable medium. In addition, one of ordinary skill in the art would readily recognize that reference to a “computer” inherently includes a computer readable medium that directs the operation of the computer. Otherwise, the computer would not be able to function.

In addition, on page 6, line 8 of applicant's specification refers to a "hard drive" and associates it with the operation of a "computer/CPU." On page 12, line 4, applicant's specification refers to "the computer hard drive." A "hard drive" or "computer hard drive" is an example of a computer readable medium. Furthermore, the language on page 12, "the computer hard drive" by using the definite article "the" indicates that a "hard drive" is part of "the computer." Thus, each reference to "computer" in applicant's specification includes a reference to a computer readable medium.

Accordingly, applicant respectfully submits that for the foregoing reasons, a "computer readable medium" is supported by applicant's specification. Applicant therefore respectfully requests that the objection to the specification be withdrawn.

### **CONCLUSION**

Applicant respectfully submits that the claims in their present form are allowable over the art of record. The applicant therefore respectfully solicits their allowance

The Applicant believes all fees due are paid prior to the same day as this filing. However, should the Office determine additional fees are necessary, the Office is urged to contact applicant's attorney.

Respectfully submitted,

/Alexander J. Neudeck/

**SIGNATURE OF PRACTITIONER**

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